

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 8 1978

Returned to applicant for correction MAY 24 1978

Corrected application filed JUN 6 1978 Map filed JUN 6 1978

The applicant Garrett Van Diest

P.O. Box 867 of Winnemucca
Street and No. or P.O. Box No. City or Town

Nv. 89445, hereby make application for permission to change the
State and Zip Code No.

point of diversion and place of use

of water heretofore appropriated under permit 25502, cert. 8696

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground
Name of stream, lake or other source.
2. The amount of water to be changed 0.22 cfs of 1.62 cfs
Second feet, acre feet.
3. The water to be used for irrigation
If for stock state number and kind of animals.
4. The water heretofore used for irrigation
If for stock state number and kind of animals.
5. The water is to be diverted at the following point in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 23, T34N, R37E,
MDB&M, or a point from which the south $\frac{1}{4}$ corner of said sec. 23
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
bears S 40° 28' W. 62 ft.
stated.
6. The existing point of diversion is located within SE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 23, T34N, R37E, MDB&M:
or a point from which the east $\frac{1}{4}$ corner of said sec. 23 bears N
If point of diversion is not changed, do not answer.
2° 32' E, 1340 ft.
7. Proposed place of use 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, 15 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 15 acres
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
in SW $\frac{1}{4}$ SW $\frac{1}{4}$ all in sec. 23; 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 39.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
and 0.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ all in sec. 26, all in T34N, R37E, MDB&M.
190 acres.
8. Existing place of use 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, all in sec. 23, T34N,
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
R37E, MDB&M, 190 acres.
9. Use will be from January 1 to December 31 of each year.
Day and Month Day and Month
10. Use has been from January 1 to December 31 of each year.
Day and Month Day and Month
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) change in irrigation system
State manner in which water is to be diverted, whether by dam or other works,
whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....excess of \$1000.....
13. Estimated time required to construct works.....1 year.....
14. Estimated time required to complete the application of water to beneficial use.....2 years.....
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared.....lp/ga.....gk/bc.....ApplicantGarrett Van Diest.....

By.....s/J.R. Caldwell.....
P.O. Box 432
Winnemucca, Nv 89445

APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 25502, Certificate 8696, is issued subject to the terms and conditions imposed in said Permit 25502, Certificate 8696, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit changes the place of use of 30 acres from the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, T.34N., R.37E., to 15 acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 15 acres in the N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, T.34N., R.37E., M.D.B. & M.

The total combined amount of water granted under this permit and Permit 34957 is limited to what the well covered under the two permits is capable of producing. If certificates of appropriation are issued under this permit and Permit 34957, the total combined amount of appropriation granted in said certificates shall not exceed The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed.....0.22.....cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....July 23, 1981.....

Proof of commencement of work shall be filed before.....August 23, 1981.....

Work must be prosecuted with reasonable diligence and be completed on or before.....July 23, 1982.....

Proof of completion of work shall be filed before.....August 23, 1982.....

Application of water to beneficial use shall be made on or before.....July 23, 1984.....

Proof of the application of water to beneficial use shall be filed on or before.....August 23, 1984.....

Map in support of proof of beneficial use shall be filed on or before.....August 23, 1984.....

Commencement of work filed.....MAR 11 1982.....
Completion of work filed.....MAR 11 1982.....
Proof of beneficial use filed.....MAR 11 1982.....
Cultural map filed.....MAR 11 1982.....
Certificate No. 9881.....Issued.....
Recorded.....Bk. 33.....Page.....

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 23rd day of JANUARY

A.D. 19 81.....
William J. Newman
State Engineer

Permit Terms Continued
Page 2

what the well covered under the two permits is capable of producing.